

and inspection and related services shall be suspended or denied to any such processor or warehouse upon failure to timely pay the fees and charges assessed.

(b) There are hereby authorized to be appropriated such sums as may be necessary for the enforcement and administration of this chapter.

(Mar. 3, 1923, ch. 217, § 8, 42 Stat. 1436; Pub. L. 97-35, title I, § 159(a)(2), Aug. 13, 1981, 95 Stat. 376.)

AMENDMENTS

1981—Pub. L. 97-35 added subsec. (a). Former unlettered provisions were designated subsec. (b) and, as so designated, struck out authorization of the Secretary to employ personnel and make administrative expenditures.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-35 effective Oct. 1, 1981, see section 159(b) of Pub. L. 97-35, set out as a note under section 94 of this title.

§ 99. Separability

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the chapter and of the application of such provisions to other persons and circumstances shall not be affected thereby.

(Mar. 3, 1923, ch. 217, § 9, 42 Stat. 1437.)

CHAPTER 5—IMPORTATION OF ADULTERATED SEEDS

§§ 111 to 116. Repealed. Aug. 9, 1939, ch. 615, § 419, 53 Stat. 1290

Sections, act Aug. 24, 1912, ch. 382, §§ 1-6, 37 Stat. 506, related to regulation of foreign commerce by prohibiting admission into United States of adulterated grain and seeds. See section 1551 et seq. of this title.

Section 111 amended by acts Aug. 11, 1916, ch. 313, 39 Stat. 453; Apr. 26, 1926, ch. 186, § 1, 44 Stat. 325.

Section 113 amended by act Aug. 11, 1916, ch. 313, 39 Stat. 453.

Sections 115 and 116 amended by act Apr. 26, 1926, ch. 186, § 2, 44 Stat. 325.

EFFECTIVE DATE OF REPEAL; EXCEPTIONS

Repeal effective on the one hundred and eightieth day after Aug. 9, 1939, except that notices with respect to imported alfalfa and red clover seed promulgated by the Secretary of Agriculture under authority of former sections 111 to 116 of this title, which were in effect Aug. 9, 1939, remained in full force and effect as if promulgated under sections 1551 to 1610 of this title.

CHAPTER 6—INSECTICIDES AND ENVIRONMENTAL PESTICIDE CONTROL

SUBCHAPTER I—INSECTICIDES

Sec.

121 to 134. Repealed.

SUBCHAPTER II—ENVIRONMENTAL PESTICIDE CONTROL

135 to 135k. Omitted.

136. Definitions.

- (a) Active ingredient.
- (b) Administrator.
- (c) Adulterated.
- (d) Animal.
- (e) Certified applicator, etc.
- (f) Defoliant.

Sec.

- (g) Desiccant.
- (h) Device.
- (i) District court.
- (j) Environment.
- (k) Fungus.
- (l) Imminent hazard.
- (m) Inert ingredient.
- (n) Ingredient statement.
- (o) Insect.
- (p) Label and labeling.
- (q) Misbranded.
- (r) Nematode.
- (s) Person.
- (t) Pest.
- (u) Pesticide.
- (v) Plant regulator.
- (w) Producer and produce.
- (x) Protect health and the environment.
- (y) Registrant.
- (z) Registration.
- (aa) State.
- (bb) Unreasonable adverse effects on the environment.
- (cc) Weed.
- (dd) Establishment.
- (ee) To use any registered pesticide in a manner inconsistent with its labeling.
- (ff) Outstanding data requirement.
- (gg) To distribute or sell.
- (hh) Nitrogen stabilizer.
- (jj) Maintenance applicator.
- (kk) Service technician.
- (ll) Minor use.
- (mm) Antimicrobial pesticide.
- (nn) Public health pesticide.
- (oo) Vector.

136a.

- Registration of pesticides.
 - (a) Requirement of registration.
 - (b) Exemptions.
 - (c) Procedure for registration.
 - (d) Classification of pesticides.
 - (e) Products with same formulation and claims.
 - (f) Miscellaneous.
 - (g) Registration review.
 - (h) Registration requirements for antimicrobial pesticides.

136a-1.

- Reregistration of registered pesticides.
 - (a) General rule.
 - (b) Reregistration phases.
 - (c) Phase one.
 - (d) Phase two.
 - (e) Phase three.
 - (f) Phase four.
 - (g) Phase five.
 - (h) Compensation of data submitter.
 - (i) Fees.
 - (j) Exemption of certain registrants.
 - (k) Reregistration and expedited processing fund.
 - (l) Performance measures and goals.
 - (m) Judicial review.
 - (n) Authorization of funds to develop public health data.

136b.

Transferred.

136c.

- Experimental use permits.
 - (a) Issuance.
 - (b) Temporary tolerance level.
 - (c) Use under permit.
 - (d) Studies.
 - (e) Revocation.
 - (f) State issuance of permits.
 - (g) Exemption for agricultural research agencies.
- 136d. Administrative review; suspension.
 - (a) Existing stocks and information.
 - (b) Cancellation and change in classification.

Sec.		Sec.	
	(c) Suspension.	136q.	Storage, disposal, transportation, and recall.
	(d) Public hearings and scientific review.		(a) Storage, disposal, and transportation.
	(e) Conditional registration.		(b) Recalls.
	(f) General provisions.		(c) Storage costs.
	(g) Notice for stored pesticides with canceled or suspended registrations.		(d) Administration of storage, disposal, transportation, and recall programs.
	(h) Judicial review.		(e) Container design.
136e.	Registration of establishments.		(f) Pesticide residue removal.
	(a) Requirement.		(g) Pesticide container study.
	(b) Registration.		(h) Relationship to Solid Waste Disposal Act.
	(c) Information required.	136r.	Research and monitoring.
	(d) Confidential records and information.		(a) Research.
136f.	Books and records.		(b) National monitoring plan.
	(a) Requirements.		(c) Monitoring.
	(b) Inspection.	136r-1.	Integrated Pest Management.
136g.	Inspection of establishments, etc.	136s.	Solicitation of comments; notice of public hearings.
	(a) In general.		(a) Secretary of Agriculture.
	(b) Warrants.		(b) Secretary of Health and Human Services.
	(c) Enforcement.		(c) Views.
136h.	Protection of trade secrets and other information.		(d) Notice.
	(a) In general.	136t.	Delegation and cooperation.
	(b) Disclosure.		(a) Delegation.
	(c) Disputes.		(b) Cooperation.
	(d) Limitations.	136u.	State cooperation, aid, and training.
	(e) Disclosure to contractors.		(a) Cooperative agreements.
	(f) Penalty for disclosure by Federal employees.		(b) Contracts for training.
	(g) Disclosure to foreign and multinational pesticide producers.		(c) Information and education.
136i.	Use of restricted use pesticides; applicators.	136v.	Authority of States.
	(a) Certification procedure.		(a) In general.
	(b) State plans.		(b) Uniformity.
	(c) Instruction in integrated pest management techniques.		(c) Additional uses.
	(d) In general.	136w.	Authority of Administrator.
	(e) Separate standards.		(a) In general.
136i-1.	Pesticide recordkeeping.		(b) Exemption of pesticides.
	(a) Requirements.		(c) Other authority.
	(b) Access.		(d) Scientific advisory panel.
	(c) Health care personnel.		(e) Peer review.
	(d) Penalty.	136w-1.	State primary enforcement responsibility.
	(e) Federal or State provisions.		(a) In general.
	(f) Surveys and reports.		(b) Special rules.
	(g) Regulations.		(c) Administrator.
136i-2.	Collection of pesticide use information.	136w-2.	Failure by the State to assure enforcement of State pesticide use regulations.
	(a) In general.		(a) Referral.
	(b) Collection.		(b) Notice.
	(c) Coordination.		(c) Construction.
136j.	Unlawful acts.	136w-3.	Identification of pests; cooperation with Department of Agriculture's program.
	(a) In general.		(a) In general.
	(b) Exemptions.		(b) Pest control availability.
136k.	Stop sale, use, removal, and seizure.		(c) Integrated pest management.
	(a) Stop sale, etc., orders.		(d) Public health pests.
	(b) Seizure.	136w-4.	Annual report.
	(c) Disposition after condemnation.	136w-5.	Minimum requirements for training of maintenance applicators and service technicians.
	(d) Court costs, etc.	136w-6.	Environmental Protection Agency minor use program.
136l.	Penalties.	136w-7.	Department of Agriculture minor use program.
	(a) Civil penalties.		(a) In general.
	(b) Criminal penalties.		(b) Minor use pesticide data and revolving fund.
136m.	Indemnities.	136x.	Severability.
	(a) General indemnification.	136y.	Authorization of appropriations.
	(b) Indemnification of end users, dealers, and distributors.		
	(c) Amount of payment.		
136n.	Administrative procedure; judicial review.		
	(a) District court review.		
	(b) Review by court of appeals.		
	(c) Jurisdiction of district courts.		
	(d) Notice of judgments.		
136o.	Imports and exports.		
	(a) Pesticides and devices intended for export.		
	(b) Cancellation notices furnished to foreign governments.		
	(c) Importation of pesticides and devices.		
	(d) Cooperation in international efforts.		
	(e) Regulations.		
136p.	Exemption of Federal and State agencies.		

SUBCHAPTER I—INSECTICIDES

§§ 121 to 134. Repealed. June 25, 1947, ch. 125, § 16, 61 Stat. 172

Sections, act Apr. 26, 1910, ch. 191, 36 Stat. 335, formerly known as "The Insecticides Act", are covered by subchapter II of this chapter.

EFFECTIVE DATE OF REPEAL; SAVINGS PROVISION

Section 16 of act June 25, 1947, repealed this subchapter effective one year after June 25, 1947, and fur-